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Proposed Attorneys for Chapter 11 Debtor and
Debtor-in-Possession

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In re:

THE SOURCE HOTEL, LLC, a
California limited liability company,

Debtor and Debtor in Possession.

Case No.: 8:21-bk-10525-ES

Chapter 11

**NOTICE OF APPLICATION OF DEBTOR
AND DEBTOR IN POSSESSION TO
EMPLOY LEVENE, NEALE, BENDER,
YOO & BRILL L.L.P. AS BANKRUPTCY
COUNSEL**

[No Hearing Required – Local Bankruptcy Rule
2014-1(b)]

1 **PLEASE TAKE NOTICE** that The Source Hotel, LLC, a California limited liability
2 company (the “Debtor”), the debtor and debtor in possession in the above-captioned chapter 11
3 bankruptcy case, has filed an application (the “Application”) for Court approval of the Debtor’s
4 employment of Levene, Neale, Bender, Yoo & Brill L.L.P. (“LNBYB”) as bankruptcy counsel,
5 effective as of February 26, 2021 (the date that the Debtor filed its voluntary chapter 11 petition),
6 upon the terms and conditions described below and in the Application.

7 **PLEASE TAKE FURTHER NOTICE** that the Debtor is the developer of a full-service
8 seven-story hotel with 178 rooms in the City of Buena Park, County of Orange, State of
9 California (the “Hotel”), which will include conference rooms, an executive lounge, fitness
10 center, restaurant, bars, and cleaning services. The Hotel is part of a larger 12.8-acre mixed-use
11 development project, which includes a 400,000 square-foot retail center and a 50,000 square-foot
12 seven-story office building which were completed in 2016. The Debtor does not own the real
13 property on which the Hotel is being constructed, but is a lessee pursuant to a 99-year ground
14 lease for such real property with the Debtor’s affiliate, The Source at Beach, LLC.

15 **PLEASE TAKE FURTHER NOTICE** that LNBYB will bill its time for its
16 representation of the Debtor on an hourly basis in accordance with LNBYB’s standard hourly
17 billing rates, and will seek reimbursement of expenses in accordance with the rates set forth in the
18 guidelines promulgated by the Office of the United States Trustee.

19 **PLEASE TAKE FURTHER NOTICE** that, to the best of LNBYB’s knowledge and
20 based upon the Declaration of Juliet Y. Oh, Esq. submitted in support of the Application, LNBYB
21 and all attorneys associated with LNBYB who expect to render services in the Debtor’s case are
22 “disinterested persons” as that term is defined in Section 101(14) of the Bankruptcy Code, and do
23 not hold or represent any interest adverse to the Debtor or its bankruptcy estate. To the best of
24 LNBYB’s knowledge, LNBYB has no prior connection with the Debtor, any creditor of the
25 Debtor or its estate, or any other party in interest in the Debtor’s case, or their respective attorneys
26 or accountants, the United States Trustee or any person employed by the United States Trustee.

1 **PLEASE TAKE FURTHER NOTICE** that LNBYB agreed to accept a retainer in the total
2 sum of \$100,000.00 for legal services in contemplation of and in connection with the Debtor's
3 chapter 11 case. During the one-year period prior to the Petition Date, the Debtor paid the total sum
4 of \$100,000.00 to LNBYB. These payments constituted pre-bankruptcy retainers for legal services
5 in contemplation of and in connection with the Debtor's chapter 11 case (collectively, the
6 "Retainer"), which Retainer is in addition to the Debtor's chapter 11 bankruptcy filing fee, which
7 the Debtor paid to LNBYB, and which LNBYB in turn paid to the Clerk of the Court. LNBYB is
8 advised and believes that the Retainer and filing fee were paid with funds advanced to the Debtor by
9 M+D Properties, which is the non-member Manager of the Debtor. Except as described above and
10 in the Application, LNBYB has not been paid any other money by the Debtor at any other time.
11 LNBYB will place the unused portion of the Retainer as of the Petition Date into a segregated
12 account and draw down from those funds on a monthly basis in accordance with the common
13 procedures of this District to assist LNBYB with its cash flow needs, recognizing that all post-
14 petition fees and expenses paid to LNBYB must be ultimately approved by the Court after notice
15 and a hearing.

16 **PLEASE TAKE FURTHER NOTICE** that LNBYB has not been paid any money by the
17 Debtor or any other entity at any time other than the Retainer in the sum of \$100,000.00 described
18 above. LNBYB has not received any lien or other interest in property of the Debtor or of a third
19 party to secure payment of LNBYB's fees or expenses.

20 **PLEASE TAKE FURTHER NOTICE** that any request for a copy of the Application
21 must be made in writing to Levene, Neale, Bender, Yoo & Brill L.L.P., 10250 Constellation
22 Blvd., Suite 1700, Los Angeles, California 90067, Attention: Juliet Y. Oh, Email:
23 JYO@LNBYB.com.

24 **PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Bankruptcy Rule 2014-
25 1(b)(3)(E), any objection to and request for a hearing on the Application, in the form required by
26 Local Bankruptcy Rule 9013-1(f)(1), must be filed and served on the Debtor, LNBYB and the
27 Office of the United States Trustee within fourteen (14) days after the date of service of this
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1 Notice plus three (3) additional days if served by mail, electronically, or pursuant to Rule
2 5(b)(2)(D), (E), or (F) of the Federal Rules of Civil Procedure and Rule 9006 of the Federal
3 Rules of Bankruptcy Procedure.

4 **PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Bankruptcy Rule 2014-
5 1(b)(4), if no objection and request for a hearing on the Application is timely filed and served,
6 LNBYB will promptly lodge a proposed order approving the Application.

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8 Dated: March 10, 2021

LEVENE, NEALE, BENDER, YOO
& BRILL L.L.P.

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11 By: _____
12 Ron Bender
13 Juliet Y. Oh
14 Proposed Counsel for Chapter 11 Debtor
15 and Debtor in Possession
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 10250 Constellation Boulevard, Suite 1700, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled **NOTICE OF APPLICATION OF DEBTOR AND DEBTOR IN POSSESSION TO EMPLOY LEVENE, NEALE, BENDER, YOO & BRILL L.L.P. AS BANKRUPTCY COUNSEL** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **March 10, 2021**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Ron Bender rb@lnbyb.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Daniel A Lev dlev@sulmeyerlaw.com, ccaldwell@sulmeyerlaw.com; dlev@ecf.inforuptcy.com
- Grant A Nigolian grant@gnpclaw.com, process@gnpclaw.com; grant.nigolian@gmail.com
- Juliet Y Oh jyo@lnbrb.com, jyo@lnbrb.com
- Ho-El Park hpark@hparklaw.com
- Ronald N Richards ron@ronaldrichards.com, morani@ronaldrichards.com, justin@ronaldrichards.com
- United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov

2. SERVED BY UNITED STATES MAIL: On **March 10, 2021**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **March 10, 2021**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

None.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

March 10, 2021

Stephanie Reichert

/s/ Stephanie Reichert

Date

Type Name

Signature

The Source Hotel, LLC
OUST, Secured, Top 20, RSN

United States Trustee (SA)
411 W Fourth St., Suite 7160
Santa Ana, CA 92701-4500

Secured Creditors:

3D Design - Millwork
8152 Indianapolis Ave.
Huntington Beach, CA 92646

Aragon Construction, Inc.
5440 Arrow Highway
Montclair, CA 91763

Beach Orangethorpe II, LLC
P.O. Box 489
Buena Park, CA 90621

Beach Orangethorpe III, LLC
P.O. Box 489
Buena Park, CA 90621

Beach Orangethorpe, LLC
P.O. Box 489
Buena Park, CA 90621

Beachamp Distributing Co.
1911 South Santa Fe Avenue
Compton, CA 90221

Best Quality Painting
818 N. Pacific Ave., #C
Glendale, CA 91203

Certified Tile
14557 Calvert St.
Van Nuys, CA 91411

Evergreen Electric Construction
629 Grove View Lane
La Canada, CA 91011

Iron Mechanical
721 North B Street
Suite 100
Sacramento, CA 95811

KS Steel Corp.
1748 Industrial Way
Los Angeles, CA 90023

Nemo & Rami
1930 W. Holt Ave.
Pomona, CA 91768

Northstar
404 North Berry Street
Brea, CA 92821-3104

Pan Pacific
18250 Euclid Street
Fountain Valley, CA 92708

PDG Wallcoverings
26492 Via Juanita
Mission Viejo, CA 92691

Prime Concrete Coatings
6127 James Alan St.
Cypress, CA 90630

Resco Electric Inc.
2431 W. Washington Blvd. Suite B
Los Angeles, CA 90018

Retrolock Corp
17915 Railroad Street
City of Industry, CA 91748

Salamander Fire Protection, Inc
6103 Tyrone Street
Van Nuys, CA 91401

Shady Bird Lending, LLC
c/o Law Offices of Ronald Richards
P.O. Box 11480
Beverly Hills, CA 90213

Solid Construction
883 Crenshaw Blvd.
Los Angeles, CA 90005

Sunbelt Controls, Inc.
888 E. Walnut Street
Pasadena, CA 91101

Grant Nigolian, P.C.
695 Town Center Drive, Suite 700
Costa Mesa, CA 92626

Hunt Ortmann Palffy Nieves et al.
301 North Lake Avenue, 7th Floor
Pasadena, CA 91101-1807

Law Office of Ho-El Park, P.C.
333 City Blvd. West, Suite 1700
Orange, CA 92868

Law Office of Michael N. Berke
25001 The Old Road
Santa Clara, CA 91381

Law Offices of Dennis G. Cosso
345 Oxford Drive
Arcadia, CA 91007

Porter Law Group, Inc.
7801 Folsom Blvd., Suite 101
Sacramento, CA 95826

Robinson & Robinson, LLP
2301 Dupont Drive, Suite 530
Irvine, CA 92612-7502

Shady Bird Lending, LLC
c/o Law Offices of Geoffrey Long
1601 N. Sepulveda Blvd., No. 729
Manhattan Beach, CA 90266

Splinter & Thai, LLP
25124 Narbonne Ave., Suite 106
Lomita, CA 90717-2140

Top 20 Unsecured Creditors:

Newgens, Inc.
14241 Foster Rd.
La Mirada, CA 90638

Cabrillo Hoist
P.O. Box 3179
Rancho Cucamonga, CA 91729

WESCO Distribution Inc.
6251 Knott Ave.
Buena Park, CA 90620

Harbor All Glass & Mirror, Inc.
1926 Placentia Ave.
Costa Mesa, CA 92627

Diablo Consulting
13200 Crossroads Parkway N
Ste. 115
City of Industry, CA 91746

Ace Tek Roofing Co.
747 S. Ardmore Ave., Suite 405
Los Angeles, CA 90005

Morrow Meadows
231 Benton Court
City of Industry, CA 91789

Chefs Toys
18430 Pacific Street
Fountain Valley, CA 92708

Stumbaugh & Associates, Inc.
3303 N. San Fernando Blvd
Burbank, CA 91504

HBA Procurement, Inc.
3216 Nebraska Ave.
Santa Monica, CA 90404

OJ Insulation LP
600 S Vincent Ave.
Azusa, CA 91702

DKY Architects
15375 Barranca Pkwy.
Suite A-210
Irvine, CA 92618

Master Glass
2225 W. Pico Blvd, Unit C
Los Angeles, CA 90006

Universal Flooring Systems
15573 Commerce Lane
Huntington Beach, CA 92649

L2 Specialties
3613 W. Macarthur Blvd., #611
Santa Ana, CA 92704

Ficcadenti Waggoner
16969 Von Karman Avenue
Suite 240
Irvine, CA 92606

Retrolock Corp
17915 Railroad Street
City of Industry, CA 91748

American Engineering Laboratories Inc.
PO Box 1816
Whittier, CA 90609